

II. REMARKS

Claims 1-4 and 6-19 are pending in this case, claim 5 having been canceled by this paper. Of these pending claims, all are rejected on various grounds, as follows: Claims 1-2, 4, 8-11, 13-14 and 17-19 are rejected under 35 USC Section 102(e) in view of Sendowski, US Published Application 2003/0198934, and claims 3, 6-7, 12 and 15-16 are rejected under 35 USC Section 103(a) as being unpatentably obvious over the argued combination of Sendowski (as applied to claims 1 and 2) and Parker, USPN 5909589. For the reasons provided below, Applicant respectfully disagrees with the rejections.

Turning firstly to the Sendowski reference, Applicant submits herewith the declaration of the inventor establishing his actual reduction to practice before the critical date (March 29, 2002) of the invention of at least claims 1, 2, 4, 8, 9, 10, 11, 13, 17, 18 and 19. In light of the evidence of this declaration, Applicant respectfully submits that the Sendowski publication must be removed as a reference.

In view of the foregoing, Applicant further submits that the rejections under Section 103(a) are rendered moot. Nonetheless, Applicant respectfully submits that the invention of rejected claims 3, 6-7, 12 and 15-16 is not obvious over the argued combination. Should the examiner reassert the rejection with another primary reference, Applicant thus reserves the right to more explicitly argue the rejection and/or amend the claims, as appropriate.

In view of the foregoing, Applicant submits that the instant application is now in condition for allowance. Of course, the examiner is invited to contact

Applicant's undersigned counsel at (734) 662-0270 if there should be any questions respecting this paper, or if a telephone interview might otherwise expedite the examination of this case.

Respectfully submitted,

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